

LACKENBACH SIEGEL LLP
Intellectual Property Attorneys

May 13, 2003

5-27033723
14/P
(14) Proposed Amendment
LS
Since 1923

VIA FACSIMILE (703) 872-9302 (3) PAGE(S)
Director of the United States Patent
and Trademark Office
Washington, D.C. 20231

FAX RECEIVED

MAY 14 2003

GROUP 3700

Attention: Examiner Ms. Debra S. Meislin

Re: U.S. Patent Application
Serial No: 09/901,305; Filed 7/9/2001
Inventors: Wayne Anderson and Paolo Cassutti
Title: IMPROVED HAND/SURVIVAL TOOL HAVING
MULTIPLE IMPLEMENTS
Ref: 4/2/2003 Correspondence MF to DM
Docket No. P-14 (n) CIP/CONT.; Ref

Dear Ms. Meislin:

This is a proposed amendment in response to the Office Action dated February 28, 2003.

The applicants, in the interests of placing the application in form for allowance, propose the following amendments.

Claims 92, 94, 98 and 100 will be cancelled, without prejudice.

Claim 93 will be amended to be in independent form as follows:

93. A multi-functional hand tool comprising: at least one interchangeable tool bit member, opposed pliers jaws, first and second elongated handles having oppositely disposed first and second ends, said pliers jaws being operably disposed at said first ends, said first handle having opposed sides forming an elongated cavity, a bladed tool, and means for pivotably connecting the bladed tool to the first handle adjacent the first handle second end, a sleeve comprising a one-piece unitary construction formed with a tubular body having a closed-end and an open end, said open end being formed for removably operably holding said tool bit member, said tool bit member being disposed in said sleeve open end, means for pivotably fixedly connecting the sleeve adjacent closed end to the first handle adjacent the first handle second end so that the sleeve is non-removable, whereby the sleeve and the tool bit member are

TELEPHONE: (914) 723-4300

E-MAIL: mail@lsllp.com

FACSIMILE: (914) 723-4301

One Chase Road • Scarsdale, New York 10583 U.S.A.

Received from < > at 5/14/03 10:21:10 AM [Eastern Daylight Time]

LACKENBACH SIEGEL LLP

Examiner Ms. Debra S. Meislin
May 13, 2003
Page 2

pivoted from an operable position disposed away from the first handle to an inoperable position disposed in the first handle cavity so that the sleeve and tool bit are inoperably stowed in the first handle without having to remove and separately stow the tool bit member or sleeve outside the pliers first handle cavity thereby permitting ready alternate pliers or tool bit drive use. [The multi-functional hand tool of claim 92] said tubular body being formed with a wing member having oppositely disposed flat surfaces extending away from the outside of the tubular body.

Claim 102 is added as follows:

102. A multi-functional hand tool comprising: at least one interchangeable tool bit member, opposed pliers jaws, first and second elongated handles having oppositely disposed first and second ends, said pliers jaws being operably disposed at said first ends, said first handle having opposed sides forming an elongated cavity, a bladed tool, and means for pivotably connecting the bladed tool to the first handle adjacent the first handle second end, a sleeve comprising a one-piece unitary construction formed with a tubular body having a closed-end and an open end, said open end being formed for removably operably holding said tool bit member, said tool bit member being disposed in said sleeve open end, means for pivotably fixedly connecting the sleeve adjacent closed end to the first handle adjacent the first handle second end so that the sleeve is non-removable, whereby the sleeve and the tool bit member are pivoted from an operable position disposed away from the first handle to an inoperable position disposed in the first handle cavity so that the sleeve and tool bit are inoperably stowed in the first handle without having to remove and separately stow the tool bit member or sleeve outside the pliers first handle cavity thereby permitting ready alternate pliers or tool bit drive use, said tubular body being formed with a member having oppositely disposed flat surfaces extending away from the outside of the tubular body.

Claim 102 tracks claim 93 and more clearly defines the term "wing" as set out in claim 93.

LACKENBACH SIEGEL LLP

Examiner Ms. Debra S. Meislin
May 13, 2003
Page 3

The remaining objections to claim language under 35 USC § 112 will be corrected as suggested at page 2, of the outstanding office action.

The claims now dependent from cancelled claim 98 will be cancelled or made dependent to claims 93 and 101.

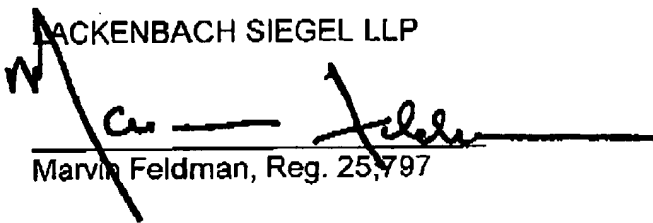
The tubular member with wing member construction is not disclosed in the art.

Harrison et al. (6,009,582) does not disclose "oppositely disposed flat surfaces extending away from the outside of the tubular body" (claim 101) or a "wing member" (claim 93). Beran (2,980,996) does not disclose (i) "a tubular body" or (ii) "a wing member extending away from the outside of the tubular body". Beran, at best, discloses a rectilinear sheath of essentially the same thickness and configuration as the flat blade, as discussed in Beran at column 3, lines 20-21. Insofar as the prior art Harrison et al. and Beran both teach away from the previously discussed limitations of claims 93 and 101, it is submitted that the claims patentably distinguish over the art and are in form for allowance.

I look forward to meeting with you on Wednesday, June 4, 2003, at 11:00am.

Sincerely yours,

LACKENBACH SIEGEL LLP


Marvin Feldman, Reg. 25,797

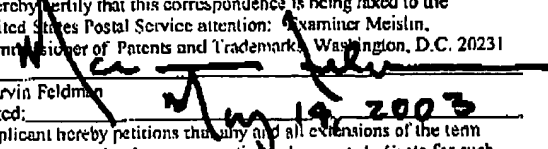
MF:k

Certificate of Fax (703) 872-9302

I hereby certify that this correspondence is being faxed to the
United States Postal Service attention: Examiner Meislin,
Commissioner of Patents and Trademarks, Washington, D.C. 20231

Marvin Feldman

Dated:


Applicant hereby petitions that any and all extensions of the term
necessary to render this response timely be granted. Costs for such
extension(s) and or any other fee due with this paper, not fully covered
by an enclosed check may be charged to Deposit Account #10-0100.